

47

Notice of Allowability

Application No.

09/670,129

Examiner

Ayal I. Sharon

Applicant(s)

PISARSKY, VLADIMIR R.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 6/15/2005.
2. ☒ The allowed claim(s) is/are 10 and 13-16.
3. ☒ The drawings filed on 16 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Introduction

1. Claims 10 and 13-16 of U.S. Application 09/670,129, originally filed on 09/26/2000 are presented for examination. Claim 10 has been amended in the response filed on 6/15/2005 in order to correct minor informalities.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance.
3. The prior art used in the claim rejections was:

Lometti et al., U.S. Patent 6,647,519. (Henceforth referred to as "Lometti").
4. Independent Claim 10 contains the following limitation (emphasis added):

performing a secondary task in each of the plurality of the networked devices, wherein performing the secondary task in a first one of the plurality of the networked devices includes generation, per time step, a respective numerical value that depends on a corresponding numerical value in each of the others of the plurality of networked devices at a previous time step;
5. In regards to that limitation, the Applicant persuasively argues the following (see amendment filed 6/15/2005, p.6, emphasis in the original text):

Further, with regard to the computations cited by the Examiner at Col. 4, lines 40-45 of Lometti, these values are not computed (a)

per time step, and as such (b) do not depend on corresponding numerical values in each of the others of the plurality of networked devices at a previous time step, as recited in Claim 10.

6. The last paragraph of page 6, and all of page 7, in applicant's response filed 6/15/2005 elaborate on these two specific differences between the claim and the prior art.
7. Claim 10 also claims a "control server."
8. In regards to that limitation, the Applicant persuasively argues the following (see amendment filed 6/15/2005, pp.8-9):

The control server is utilized in the present invention for receiving a plurality of computations from the respective networked devices, while simultaneously simulating the computations at the control server, and comparing the computations from the respective networked devices with the simulated computations to determine if there the received values are equal to the simulated values. If any one of the comparisons results in an inequality, an alarm signal is generated.

Lometti, by contrast, performs a mismatch detection in some number of networked devices that incorporate the mismatch detection circuit. In each device a comparison is made between a received target vector with an internally stored target vector to determine if there is a mismatch at that device. This process is performed in isolation at each device that incorporates the mismatch detection circuit. As such, there is no teaching or disclosure of transferring values to a central server, where central server simulated values are compared to received values from a plurality of networked devices, as recited in Claim 10.

9. Dependent claims 14-16 depend from allowable claim 10, and therefore are also allowable.
10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays,

Art Unit: 2123

should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ayal I. Sharon whose telephone number is (571) 272-3714. The examiner can normally be reached on Monday through Thursday, and the first Friday of a biweek, 8:30 am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached at (571) 272-3749.

Any response to this office action should be faxed to (571) 273-8300, or mailed to:

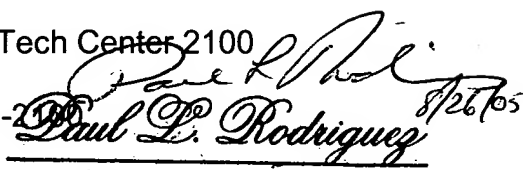
USPTO
P.O. Box 1450
Alexandria, VA 22313-1450

or hand carried to:

USPTO
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2100

Receptionist, whose telephone number is (571) 272-2190


Paul L. Rodriguez 8/26/05

Primary Examiner
Art Unit 2125